

Meeting Minutes – Approval

M-026 LDR Report Project Manager Meeting Minutes
For

BHI Building, Conference Room 1B40

Richland, Washington

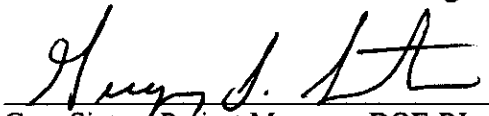
Meeting Held February 7, 2002

From 12:30 PM to 2:00 PM

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EDMC

The undersigned indicate by their signatures that these meeting minutes reflect the actual occurrences of the above dated meeting.

 Date: 13 March 02
Greg Sinton, Project Manager, DOE-RL

 Date: 13 March 02
Woody Russell, Project Manager, DOE-ORP

 Date: 3-13-02
Laura Ruud, Project Manager, Washington State Department of Ecology

 Contractor Concurrence
Date: 13 Mar 02
Richard Gurske, LDR Report Project Manager, FH

 Date: 3/13/02
Anthony Miskho, LDR Report Coordinator, FH

Purpose: Discuss TPA Project Manager dispute of the CY2000 LDR Report

The attached minutes are comprised of the following:

Attachment 1 - Meeting Agenda

Attachment 2 - Attendance List

Attachment 3 - Action Items

Attachment 4 – Subteam Progress Handout

Attachment 1

**M-026 LDR Report Project Manager Meeting Minutes
For
BHI Building, Conference Room 1B40
Richland, Washington
Meeting Held February 7, 2002
From 12:30 PM to 2:00 PM**

Meeting Agenda

1. Small group proposal for resolution of CY2000 Report
 - Cover letter, errata sheet, expectations for future reports, documentation of other agreements
2. Small group status on resolution of "Examples of Deficiencies":
 - a. 17 PMWT items
 - b. 8 Ecology concerns on DOE responses to comments
 - c. TPA Change Control Form
3. Small group status of expectation resolution
4. Assessment conceptual agreement
 - a. DOE agreement on expected scope
 - b. Prioritization of Assessments
 - c. Develop checklist
 - d. Assessment resource understanding
5. Plan to fill data gaps conceptual agreement
6. Discussion of next step in dispute process
 - a. Small group recommendation
 - b. Large group discussion and decision
 - c. Documenting small group discussions

Attachment 2

**M-026 LDR Report Project Manager Meeting Minutes
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Richland, Washington
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Attendance List

<u>Name</u>	<u>Organization</u>
R. H. Gurske	FH
J. B. Hebdon	DOE-RL
A. G. Miskho	FH
E. J. Murphy-Fitch	FH
P. A. Powell	CHG
J. E. Rasmussen	DOE-ORP
C. R. Richins	DOE-RL
W. Russell	DOE-ORP
L. E. Ruud	Ecology
G. H. Sanders	DOE-RL
G. L. Sinton	DOE-RL
R. R. Skinnarland	Ecology
H. T. Tilden	PNNL
D. M. Yasek	BHI

Attachment 3

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Summary of Commitments/Agreements

Action Item #	Responsible Party	Description	Date Closed
1	Ecology (Ruud)	Ecology to discuss dispute extension with Attorneys General office	1/9/2002
2	DOE (Sinton)	DOE to provide response to Ecology expectations	1/9/2002
3	DOE/Ecology	Discuss with respective legal counsels options for closing out the CY2000 report.	1/22/2002
4	DOE/Ecology	Small group to be formed and to finalize expectations	1/22/2002
5*	DOE/Ecology	Small group to continue working on dispute resolution product	

*New = action item assigned at this meeting

Attachment 4

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Subteam Progress Handout
(2 pages excluding cover page)

Dispute Resolution – LDR CY 2000

These expectations reflect discussions and modification through 2/7/02

1. Commitments will be incorporated into the LDR Report either through reference to TPA milestones or as schedules¹ within the LDR Report. Project managers have authority to adjust schedules within the LDR Report through the primary document modification provisions in the TPA. Changes to milestones will be in accordance with the TPA process. This expectation applies to both mixed waste (MW) and potential mixed waste (PMW). In establishing TPA milestones or schedules, it is anticipated that multiple MW streams or PMW may be addressed under a single TPA milestone or milestone series or schedule.
2. DOE shall propose TPA milestones or schedules in the LDR report for the characterization (for storage, LDR treatment, and disposal) and for treatment of all MW where treatment and disposal cannot be accomplished within one year of generation. Milestones and schedules shall reflect the known or reasonably anticipated risks of the waste and current location, as well as overall strategic plans and priorities for the site.
3. A future use must be documented for material to be included in column E of the Potential Mixed Waste Table. Documentation of the future use of items in column E shall be available upon request.
4. DOE can satisfy the requirement to establish TPA milestones or schedules for MW or PMW in the LDR Report as follows:
 - a. For MW and PMW that are covered by existing milestones, schedules, CERCLA documents, or other regulatory agency agreements, these commitments will be incorporated into the LDR Report in accordance with expectation #1.
 - b. For PMW determined to be MW which can not be moved into compliant storage within 90-days, DOE shall:
 - i. Contact appropriate TPA lead regulatory agency project manager
 - ii. Propose TPA milestones or schedules for the movement or management of the MW including, as needed, TPA milestones or schedules for:
 1. Performing a DOE LDR storage assessment
 2. Complete data gap² plan and provide to the lead regulatory agency project manager for discussions
 - iii. Report the outcome of the discussions with the TPA lead regulatory agency project manager as milestones or schedules in the annual LDR report and, as applicable, propose date for negotiations.

¹ The requirement for schedule can be met by providing a date in the LDR report.

² To be provided. Will reference data gap plan content description

- c. For MW and PMW not covered by existing TPA milestones or schedules
 - i. Propose TPA milestones or schedules for the movement or management of the PMW or MW including as needed TPA milestones or schedules for:
 - 1. Performing a DOE LDR storage assessment
 - 2. Complete data gap plan and provide to the lead regulatory agency project manager for discussions
 - ii. Report the outcome of the discussions with the TPA lead regulatory agency project manager as milestones or schedules in the annual LDR report and as applicable, propose date for negotiations.
- 5. The parties have agreed to two procedures for DOE LDR storage assessments (one for ORP and RL) for any location where PMW is currently located, as well as for MW in permitted units or units operating under interim status standards. For MW in permitted units or units operating under interim status standards, there is the expectation that the location will meet all RCRA TSD storage requirements. For locations containing PMW, using RCRA TSD unit storage requirements as criteria for comparison, the DOE LDR assessment will be used as a part of the continuing process of evaluating whether current management practices are adequate to ensure that the threat to human health and the environment is minimized. This evaluation will be used to create schedules and/or milestones for compliance with characterization, storage, and treatment requirements, as applicable.
- 6. The LDR Report shall identify DOE LDR storage assessments planned for the next three years. Repeat assessments will be conducted, as necessary.

Distribution:

D. Bartus	EPA	B5-18
L. Bostic	BNI	H4-02
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R. H. Gurske	FH	H8-73
J. B. Hebdon	DOE-RL	A5-58
A. P. Larsen	DOE-RL	A5-15
M. F. Jarvis	DOE-RL	A5-58
D. B. Jensen	FH	N1-24
E. M. Mattlin	DOE-RL	A5-15
A. G. Miskho	FH	N1-26
C. H. Mulkey	CHG	R1-51
E. J. Murphy-Fitch	FH	A1-14
P. A. Powell	CHG	R1-51
J. E. Rasmussen	DOE-ORP	H6-60
W. Russell	DOE-ORP	H6-60
C. R. Richins	DOE-RL	A6-52
L. E. Ruud	Ecology	B5-18
G. H. Sanders	DOE-RL	A6-38
G. L. Sinton	DOE-RL	A6-38
R. R. Skinnarland	Ecology	B5-18
H. T. Tilden	PNNL	P7-57
B. D. Williamson	DOE-RL	A4-52
R. W. Wilson	Ecology	B5-18
D. M. Yasek	BHI	H0-02

ADMINISTRATIVE RECORD: M-026 LDR Report [Care of EDMC, LMSI (H6-08)]

Please send comments on distribution list to Anthony G. Miskho (376-7313).